

REMARKS

The present Amendment has pending claims 1-14.

Amendments were made to the specification to correct minor errors grammatical and editorial in nature discovered upon review.

Claims 1-14 stand rejected under 35 USC §103(a) as being unpatentable over Perholtz (U.S. Patent No. 5,732,212) in view of Kodama (U.S. Patent No. 6,721,685). This rejection is rendered moot being that Kodama, relied upon by the Examiner to reject the claims of the present application, is not an appropriate reference to be used for anticipatory or obviousness type purposes to reject the claims of the present application being that Kodama only qualifies a prior art under 35 USC §102(e) and as such cannot be used to preclude patentability in accordance with 35 USC §103(c). It should be noted that the effective of date is Kodama is its filing date of March 19, 2001 which is prior to the filing date of March 20, 2001 but after the claimed priority date of September 20, 2000 of the present application. Thus, Kodama only qualifies as prior art in accordance with 35 USC §103(e).

In order to remove Kodama as prior art in accordance with MPEP §706.02(l)(2), Applicants must provide evidence to establish common ownership of Kodama and the present application. In this regard, Applicants through their Attorney, the undersigned, hereby state that the present application 09/811,403, filed March 20, 2001 and Kodama were, at the time the invention was made, owned by and/or subject to an obligation of assignment to the same person (entity), namely Hitachi, Ltd.

Therefore, in accordance 35 USC §103(c) Kodama is not an appropriate reference to be used for anticipatory or obviousness type purposes to reject the claims of the present application and therefore, the rejection of the claims under 35 USC §103(a) as being obvious over Perholtz in view Kodama fails. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

Even if Perholtz and Kodama could be use in a combination to reject the claims of the present application, Applicants submit that such combination fails to teach or suggest features of the present invention as now more clearly recited in the claims. Particularly, neither of the references teach or suggest the history recording means for recording the remote operation input information and transition of display on a terminal display screen in response to the remote operation input information as remote control history data as recited in the claims.

Perholtz merely discloses a system in which a remote PC can access and control a host PC while receiving information displayed on the host PC video display monitor (VDM) screen from the host PC for analysis and review. There is no such teaching or suggestion in Perholtz of the history recording means as recited in the claims.

In the Office Action, the Examiner refers to col. 5, lines 41-58 of Perholtz as allegedly teaching the history recording means recited in the claims. However, this passage of Perholtz merely discloses apparatus to capture and interpret information displayed on the host PCs' VDM screen from a video raster signal output by the VDAC of the host microprocessor in order to store and transmit the stored information to the remote PC so that a remote user can access, obtain and store the

host PC current and previous VDM screen data on a remote PC after linking the remote PC to the host PC. Thus, this paragraph of Perholtz merely discloses a remote monitoring of the host PC screen. Therefore, there is no teaching or suggestion of the above described history recording means as recited in the claims.

The history recording means features of the present invention recited in the claims are also not taught or suggested by other passages referred to by the Examiner, namely col. 18, lines 56-65 and col. 12, lines 33-53 of Perholtz. Col. 18, lines 56-65 of Perholtz merely teaches the kind of remote control operations that are capable from the remote PC and col. 12, lines 33-53 of Perholtz merely discloses how to supply the remote PCs keyboard input into the host PC via a communication line. There is absolutely no teaching or suggestion of the above described history recording means as recited in the claims.

In the Office Action the Examiner recognizes the numerous deficiencies of Perholtz relative to the features of the present invention as recited in the claims. However, the Examiner attempts to supply these deficiencies by combining Perholtz with Kodama. However, as noted above, Perholtz cannot be combined with Kodama being that Kodama is not an appropriate reference to be used for anticipatory or obviousness type purposes to reject the claims of the present application.

However, even if Kodama could be used, Kodama suffers from the same deficiencies as Perholtz relative to the features of the present invention as clearly recited in the claims. Particularly, Kodama fails to teach or suggest the history recording means as recited in the claims.

Since Kodama cannot be used as prior art relative to the claims of the present application, the issues regarding the teachings of Kodama are never reached.

Therefore, reconsideration and withdrawal of the 35 USC §103(a) rejection of the claims as being unpatentable over Perholtz and Kodama is respectfully requested.

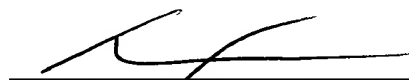
The remaining references of record have been studied. Applicants submit that they do not supply any of the deficiencies noted above with respect to the references utilized in the rejection of claims 1-14.

In view of the foregoing amendments and remarks, applicants submit that claims 1-14 are in condition for allowance. Accordingly, early allowance of claims 1-14 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of MATTINGLY, STANGER & MALUR, P.C., Deposit Account No. 50-1417 (520.39905X00).

Respectfully submitted,

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